UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,585	07/20/1999	GEORGE KOPPICH	36J.P225	9436

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EXAMINER
RAHIMI, IRAJ A

ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 07/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)	
Office Action Summary	09/357,585	KOPPICH ET AL.	
	Examiner		**Art Unit**
	(Iraj) Alan Rahimi		2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 September 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

1.   In papers filed on April 28, 2003, applicant amended claims 7, 9-11 and added new

claims 12-22.

2.   Applicant's arguments filed April 28, 2003 have been fully considered but they are not

persuasive. Regarding claims 1-11, applicant argues that Bum dose not teach connectivity to

Internet for supply of Internet-based print data. Examiner disagrees in that Bum was interpreted

narrowly. Bum in column 4, lines 23-60 explains how data is transmitted from PC through the

set top box to the cable head and to the Internet gateway. He explains in lines 57-60 that data

packet from backbone Internet can be sent to the PC by reversing the steps explained in the

earlier teaching in the same column. In short Bum teaches supply of data from Internet to PC

through set top box. Examiner interprets data broadly to include print data. It is also well known

in the art that print data can be in form of page description language, which is independent of the

printer. Examiner has cited the Evans, IV reference in this action as other prior art showing that

page description language is independent of the printer. Shaffer also teaches in column 3, lines

52-55 that program controller (considered the head end) provides printer ready data to the dumb

printer. A dumb printer cannot rasterize the received data and that is why the program controller

16 is performing the rasterization up stream. Therefore, it is shown that Shaffer and Bum teach

or suggest supply of rasterized print data that can be independent of the printer from an Internet

based source.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 14-18, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Shaffer (US patent 5,793,414) in view of Bum (US patent 6,285,685).

        Regarding claim 14, Shaffer discloses a method for providing of an Internet-based print

job at a printer connected to a set top box, in which the set top box can communicate with a

broadcasting station via a broadband network, comprising:

        receiving a print job from an Internet-based source at the broadcasting station, the print

job being received in a printer-independent format and including address information designating

at least one home printer connected to a respective set top box (column 3, lines 43-55);

        based on the address information, accessing a user directory so as to determine a printer

driver corresponding to the printer (column 3, lines 43-55) ;

        obtaining identification information of the printer connected to the set top box by

communicating with the set top box (column 3, lines 43-55);

        loading the print driver specified by the accessing step or the obtaining step at the

broadcasting station and executing the print driver corresponding to the printer, so as to render

the printer-independent print job into a rasterized bit map image that is specific for the ultimate

destination printer (column 3, lines 27-31); and

        transferring the rasterized bit map image over the broadband network to the

set top box to which the destination printer is connected (column 3, lines 53-61).

However, Shaffer does not teach connectivity to Internet for supply of Internet based

printing data, nor does he teach sending print data to the set top box in printer independent

format. Bum in column 4, lines 23-60 explains how data is transmitted from PC through the set

top box to the cable head end and to the Internet gateway. He explains in lines 57-60 that data

packet from backbone Internet can be sent to the PC by reversing the steps explained in the

earlier teaching in the same column. In short Bum teaches supply of data from Internet to PC

through set top box. Examiner interprets data to include print data. It is also well known in the art

that print data can be in form of page description language, which is independent of the printer.

Examiner has cited the Evans, IV reference in this action as other prior art showing that page

description language is independent of the printer. Shaffer also teaches in column 3, lines 52-55

that program controller (considered the head end) provides printer ready data to the dumb

printer. The program controller 16 is performing the rasterization up stream. Therefore, it is

shown that Shaffer and Bum teach or suggest supply of rasterized print data that can be

independent of the printer from an Internet based source.

Regarding claim 15, Shaffer discloses a method according to Claim 14, further

comprising the steps of creating, at the set top box, a logical printer (input/output processor 116)

with a simplified print driver that accepts rasterized bit map print jobs, and of accepting the

rasterized bit map print job by the logical printer for visual printout (column 4, lines 25-38).

Input/output processor in the set top box receives processed programs and supplies them to the

dumb printer. Processed programs are considered to include bit map print jobs.

Regarding claim 16, Shaffer discloses a method according to Claim 14, wherein the

rasterized bit map image created at the broadcasting station includes all needed printer

commands for the target printer (column 3, lines 27-30 and 43-55).

Regarding claim 17, Shaffer discloses a method according to Claim 16, wherein the

rasterized bit map print data is formatted to a format needed by the target printer (column 3, lines

27-30 & 43-55).

Regarding claim 18, Shaffer discloses a method according to Claim 14, further

comprising the step, at the broadcasting station, of automatically updating the user directory

using the identification information obtained from communication with the set top box (column

3, lines 43-55).

Regarding claim 21, Bum discloses an apparatus for providing for printout of an Internet-

based print job at a printer connected to a set top box, in which the set top box can communicate

with a broadcasting station via a broadband network, comprising:

a program memory 84 (Fig. 2) for storing process steps executable to perform a method

according to any of Claims 14 to 20; and

a processor 86 (Fig. 2) for executing the process steps stored in said program memory.

Regarding claim 22, arguments analogous to those presented for claim 14, are applicable.

5.   Claims 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer (US

patent 5,793,414) in view of Bum (US patent 6,285,685) and further in view of Gottfreid to (US

patent 6,076,076).

Regarding claim 19, Shaffer in view of Bum does not teach a method according to Claim

1, wherein the print driver is obtained by downloading over the Internet. Gottfried teaches in

column 2, lines 29-43 downloading printer drivers from Internet. Shaffer, Bum and Gottfreid are

analogous art because they are from the same field of endeavor that is printing in a network

environment.   Therefore, it would have been obvious to a person skilled in the art, at the time of

invention to combine Shaffer in view of Bum with Gottfreid to save processing time, and disk

storage space.

6.   Claims 12, 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Shaffer (US patent 5,793,414) in view of Bum (US patent 6,285,685) and further in view of de

Vries et al. (US patent 5,819,032).

Regarding claim 12, Shaffer and Bum do not teach a method according to Claim 1,

wherein the Internet-based print job is a push-print print job originating from an Internet-based

source. De Vries et al. teaches in column 4, lines 12-19 electronic distribution of magazines to

multiple subscribers over a network such as internet. Distribution of electronic magazine is

considered push-print job. Shaffer, Bum and de Vries et al are analogous art because they are

from the same field of endeavor that is electronic delivery of data. Therefore, it would have been

obvious to a person skilled in the art, at the time of invention to combine the electronic

publishing of de Vries with Shaffer and Bum to remove the traditional constraints, such as paper,

printing and distribution cost.

Regarding claims 13 and 20, arguments analogous to those presented for claim 12, are

applicable.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Other prior art cited

8.   The prior art made of record and not relied upon is considered pertinent to the applicant's

disclosure.

Evans, IV (US patent 6,525,831) teaches page description language (PDL) is a method of

describing printed pages in a printer independent format.

Gatto et al. (US patent 5,905,521) teaches ordering and receiving purchase verification data for

printing on a printer.

Ogasawara et al. (US patent 6,543,052) teaches Internet shopping system utilizing set top box.

Levitan (US patent 5,864,823) teaches a system for distribution of advertisement, newspaper and

magazine to interested individuals.

Contact Information

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 703-306-3473.

The examiner can normally be reached on Mon.-Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9314 for regular

communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3800.

EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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July 14, 2003